

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are list below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Stabilizer Athletic Shoes

the specification of which (check one):

 x is attached hereto.

 was filed on as Application Serial No. and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Priority Claimed

(Number) (Country) (Day/Month/Year)

Yes No

Priority Claimed

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year)</u>	<u>Yes</u>	<u>No</u>
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<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year)</u>	<u>Yes</u>	<u>No</u>
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<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year)</u>	<u>Yes</u>	<u>No</u>
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I hereby claim the benefit under Title 35 United States Code Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u>	<u>(Patented, pending, abandoned)</u>
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<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u>	<u>(Patented, pending, abandoned)</u>
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I hereby appoint James W. Badie, Registration No. 20,968, as my attorney with full power of substitution and appointment of associate attorneys, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications to James W. Badie, Stoll, Miskin, Hoffman & Badie, Empire State Building, 350 Fifth Avenue, Suite 6110, New York, New York 10118.

Please direct all telephone calls to James W. Badie, (212) 244-5632.

002720-021560

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:

William G. Cummings

Inventor's signature:

X 

X Date: 7/1/00

Citizenship: U.S.A.

Residence:

336 Briarly Drive

Franklin Lakes, NJ 07417

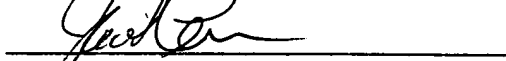
Post office address:

same as above

Full name of sole or second inventor:

Jay G. Levine

Inventor's signature:

X 

X Date: 7/1/2002

Citizenship: U.S.A.

Residence:

5 Walnut Court

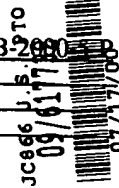
New City, New York 10956

Post office address:

same as above

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Applicant or Patentee: William G. Cummings and Jay G. Levine Atty Docket No. JWB-2090
Serial or Patent No. _____
Filed or Issued: _____
For: Stabilizer Athletic Shoes



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d) - INDEPENDENT INVENTOR)

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled Stabilizer Athletic Shoes described in

- (☒) the specification filed herewith
(☐) application serial no. _____, filed _____
(☐) patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract of law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- (☒) no such person, concern or organization
(☐) persons, concerns or organizations listed below *

* NOTE: separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. 37 CFR 1.27

FULL NAME _____
ADDRESS _____
(☐) Individual (☐) Small Business Concern (☐) Nonprofit Organization

FULL NAME _____
ADDRESS _____
(☐) Individual (☐) Small Business Concern (☐) Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 CFR 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

<u>William G. Cummings</u>	<u>Jay G. Levine</u>	
Name of Inventor	Name of Inventor	Name of Inventor
<u>[Signature]</u>	<u>[Signature]</u>	
Signature of Inventor	Signature of Inventor	Signature of Inventor
<u>7/1/00</u>	<u>7/1/00</u>	
Date	Date	Date

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